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August 28, 2000

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**BOX CPA**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Re: Application of Hiroaki TAKAYAMA, Katsuhiro KONNO, Toshie FUJISHIMA  
VITAMIN D3 DERIVATIVE AND ITS PRODUCTION METHOD  
Our Ref: Q52816

Dear Sir:

This is a request for filing a Continuation Application under 37 C.F.R. § 1.53(d) (continued prosecution application (CPA)) of pending prior Application No. 09/214,155 filed on December 29, 1998 of Hiroaki TAKAYAMA, Katsuhiro KONNO, Toshie FUJISHIMA entitled VITAMIN D3 DERIVATIVE AND ITS PRODUCTION METHOD.

This application is being filed under 37 CFR § 1.53(d). The prior application, in which no payment of the issue fee, abandonment, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application. It is understood that secrecy under 35 USC § 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file jacket, be it either this application or a prior application in the same file jacket, the Patent and Trademark Office may provide similar information or access to all the other applications in the same file jacket.

The prior application is assigned to Group Art Unit 1616.

Entry of the Amendment previously filed on August 1, 2000 under 37 CFR § 1.116, but unentered, in the prior application is respectfully requested.

The Oath/Declaration appears in the original papers of the prior application.

Priority is claimed from May 02, 1997 based on Japanese Patent Application No. 9-114695. The priority document was filed in parent Application No. 09/214,155.

The Government filing fee is calculated as follows:

Total claims	<u>2</u> - 20	=		x	\$18.00	=	<u>\$0.00</u>
Independent claims	<u>1</u> - 3	=		x	\$78.00	=	<u>\$0.00</u>
Base Fee							\$690.00

**TOTAL FILING FEE**

**\$690.00**

SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC

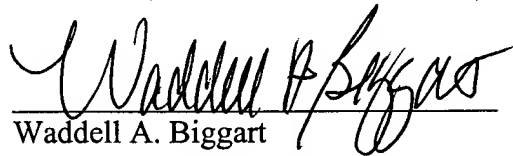
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A check for the statutory fee of \$690.00 is attached. The Commissioner is also directed and authorized to charge or credit any difference or overpayment to Deposit Account No. 19-4880. The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 and any petitions for extension of time under 37 C.F.R. § 1.136 which may be required during the entire pendency of the application to Deposit Account No. 19-4880. **A duplicate copy of this transmittal letter is attached.**

A three-month Petition for Extension of Time and the statutory fee \$490.00 (\$870.00-380.00) are being filed concurrently herewith in Application No. 09/214,155, making this Request for Continued Prosecution Application timely filed.

Respectfully submitted,

SUGHRUE, MION, ZINN, MACPEAK  
& SEAS, PLLC



Waddell A. Biggart  
Registration No. 24,861